IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 9720 of 2004

Between:
G.Appa Rao, S/o G.Suryanarayana Sharma,
R/o Flat No.501, Annapurna Apartment, Lalitnagar, Hyderabad.
..... PETITIONER

AND

1 The District Collector, Ranga Reddy District.
2 The Joint Collector, Ranga Reddy District.
3 The Mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy District.
.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not granting the patta certificate to the petitioner in respect of an extent of Ac.5-00 (dry) land in Sy.No.12 of Jawahar Nagar Village, Malkaram Sector, Shameerpet Mandal, Ranga Reddy District which is in the possession and enjoyment of the petitioner allotted by Jawaharnagar Co-operative land Colonisation Society is as arbitrary, illegal and violative of Article 14,21 and 300 A of the constitution of India, consequently direct the respondents to issue the patta certificate in respect of the said land forthwith

For the Petitioner:MR.G.CHANDRAIAH

For the Respondents.: GP FOR REVENUE

The Court Made the Following :

ORDER:

The present writ petition is filed questioning the action of the respondents in not issuing the patta certificate in favour of the petitioner in respect of the land in an extent of Ac.5-00 in Sy.No.12, Jawaharnagar village, Shammerpet, Hyderabad.

It is stated in the affidavit filed in support of the writ petition that in order to rehabilitate the exservicemen, the Government has allotted some land admeasuring Ac. 5977.03 guntas to Jawahar Co-operative Land Colonisation Society for Ex-servicemen of which the petitioner is a member and he was in turn allotted above mentioned land and he is possession and enjoyment of the same. It appears that the Government has issued a notification vide G.O.Ms.No.17 dated 5-1-1976 directing the District Collector to resume the subject land from the society and dispose of the land by way of individual assignment to the ex-servicemen on priority basis and allot remaining land to landless poor persons. Subsequently the Collector stated to have issued certain instructions /guidelines for assignment of land vide proceedings dt 1-8-1979. The grievance of the petitioner is that though he made several representations, the patta certificate was not issued to him. The petitioner bases his claim on a judgment of this Court in W.P.3912 of 1992 and batch dated 25-3-2004 whereby this Court directed the respondents to conduct enquiry and issue pattas to eligible ex-servicemen. Pursuant to the above said judgment of this Court, the petitioner had submitted a representation on 15-4-04 to the Mandal Revenue Officer requesting to consider HIS case

for issuance of patta certificate. Complaining that no action is taken thereon, the present writ petition is filed.

Learned counsel for petitioner submitted that the petitioner herein is in possession of the land eligible to assignment of pattas in his favour and made representation to the respondent Mandal Revenue Officer to enquire and allot the patta in his favour, but no action is taken thereon.

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

The petitioner had made a representation to the Mandal Revenue Officer only on 15-4-2004 which is pending consideration and so far no orders were passed thereon, as such, as on today there is no cause of action for the petitioner. The claim of the petitioner is pending consideration before the respondents and respondents require some reasonable time to enquire into the matter and pass appropriate orders.

Since the representation of the petitioner dated 15-4-2004 is pending consideration, the writ petition is disposed of directing the respondents to dispose of the representation of the petitioner dt 15-4-2004 in accordance with law. No costs.

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17-6-2004

ASP

1 The District Collector, Ranga Reddy District.

2 The Joint Collector, Ranga Reddy District.

3 The Mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy District.

4. 2 C.Cs. to G.P. for Revenue, High Court buildings (O.U.T)

5. 2 C.D. copies

6. One spare copy